

**Remarks**

Claims 81-90, 104, 105, 111 and 112 are pending in the Application.

Claims 81-87, 104, 105, 111 and 112 are rejected.

Claims 88-90 are objected to.

**I. EXAMINER INTERVIEW**

On November 16, 2004, the undersigned counsel for Applicant and an inventor of the invention (Dr. Ken Smith) met with the Examiner to discuss the Application and the Final Office Action. Applicant and its counsel appreciate the opportunity to have this discussion and wish to thank the Examiner for the interview.

**II. REJECTIONS UNDER 35 U.S.C. §§ 102 and 103**

Examiner has rejected Claims 81-87 under 35 U.S.C. § 102(a) as being anticipated by or in the alternative, under 35 U.S.C. § 103(a) as obvious over Tohji et al., *Nature*, (“*Tohji*”). Final Office Action, at 2. Examiner has rejected Claims 81-87 under 35 U.S.C. § 102(a) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Ajayan et al., *Science*, (“*Ajayan*”). *Id.* Examiner has rejected Claims 104, 105, 111 and 112 under 35 U.S.C. § 103(a) as obvious over *Ajayan* taken with “applicant’s admissions.” *Id.* Applicant traverses these rejections.

During the interview with the Examiner, the Applicant and the Examiner discussed modifying the claims to more positively recite that all of “the about  $10^6$  single-wall carbon nanotubes in generally parallel orientation” in the macroscopic molecular array (a) had a substantially similar length, and (b) the similar length is in the range of from about 5 to about 500 nanometers. Applicant understands that Examiner indicated that such clarified claims would be in a form for allowance.

Accordingly, Applicant has modified independent Claims 81, 104, 111 and 112 to more affirmatively recite these limitations. Applicant notes that the scope of the claims is

**11321-P012USD5****PATENT**

commensurate with the scope that Applicant had previously understood them to be and thus, the claims are not narrowed by these amendments to the claims.

Therefore, as a result of the foregoing, Applicant respectfully requests that the Examiner withdraw his rejection of Claims 81-87, 104-105, and 111-112 under 35 U.S.C. §§ 102 and 103.

### **III. CLAIMS OBJECTED TO**

Examiner has objected to Claims 88-90. The reasons for the objections were not given, however, it is expected that the objections are due to the claims being dependent upon a rejected claim. However, as Applicant understands that Examiner has indicated that the modified independent claims from which Claims 88-90 now depend are in form for allowance, Applicant respectfully requests that the Examiner withdraw his objection of Claims 88-90.

### **IV. CONCLUSION**


As a result of the foregoing, it is asserted by Applicant that the Claims in the Application are now in a condition for allowance, and respectfully request allowance of such Claims.

Applicant respectfully requests that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.  
Attorneys for Applicant

By: \_\_\_\_\_

  
Ross Spencer Garsson  
Reg. No. 38,150

P.O. Box 50784  
Dallas, Texas 75201  
(512) 370-2870